

*File*  
*Farmers Branch  
Shopping Center*

*Carmichael*

PD 8

AN ORDINANCE TO THE CITY OF FARMERS BRANCH, TEXAS  
ORDINANCE NO. 146

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM A "R-7.5" RESIDENTIAL CLASSIFICATION TO A "C-COMMERCIAL" CLASSIFICATION FOR A SHOPPING CENTER UNDER SPECIAL PERMIT, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE I.B. WEBB SURVEY, ABSTRACT NO. 1574, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, AND BEING ALSO THAT TRACT OF LAND KNOWN AS TRACT 2, DEEDED TO KATE L. CARWILE, A WIDOW, BY DEED RECORDED IN VOLUME 1886, PAGE 591, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF VALLEY VIEW LANE, (SAID CENTERLINE BEING ALSO THE NORTHLINE OF THE SAID I.B. WEBB SURVEY) AND THE CENTERLINE OF DENNIS ROAD, FOR CORNER; THENCE SOUTH, WITH SAID CENTERLINE OF DENNIS ROAD 1677.05', FOR CORNER; THENCE S89°37'W, 894.45' TO THE EAST LINE OF FARMERSDELL ADDITION, AN ADDITION TO THE CITY OF FARMERS BRANCH, TEXAS, FOR CORNER; THENCE N0°33'W, ALONG SAID FARMERSDELL ADDITION 1681.57' TO A POINT IN THE CENTERLINE OF VALLEY VIEW LANE (SAME BEING IN THE NORTH LINE OF SAID I.B. WEBB SURVEY), FOR CORNER; THENCE N89°53'E, 910.72' ALONG SAID CENTERLINE OF VALLEY VIEW LANE AND SAID I.B. WEBB SURVEY NORTHLINE TO THE PLACE OF BEGINNING AND CONTAINING 35 ACRES OF LAND, MORE OR LESS; THAT SUCH PROPERTY IS TO BE USED UNDER A SPECIAL PERMIT FOR SHOPPING CENTER WITH COMMERCIAL USES, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO PLANS AND SPECIFICATIONS SUBMITTED THEREFOR WHICH SHALL BE APPROVED BY THE CITY PLANNING COMMISSION AND SUBJECT TO THE CONDITIONS CONTAINED HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch in compliance with the Charter of the City of Farmers Branch and the State Law with reference to the granting of special permits under the zoning ordinance regulations and zoning map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners, generally, and to the persons interested and situated in the effected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said special permit should be granted, subject to the conditions set out herein; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the zoning map of the City of Farmers Branch so as to change the following described property from a "R-7.5" Residential classification to a Shopping Center with commercial classification uses under special permit as provided for under provisions of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to the special conditions contained herein. That the property to be covered by special permit for shopping center purposes with commercial uses is described as follows, to-wit:

Being a tract of land situated in the I.B. Webb Survey, Abstract No. 1574, City of Farmers Branch, Dallas County, Texas, and being also that tract of land known as tract 2, deeded to Kate L. Carwile, a widow, by deed recorded in Volume 1886, Page 591, of the deed records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Valley View Lane, (said centerline being also the northline of the said I.B. Webb Survey) and the centerline of Dennis Road, for corner;  
THENCE South, with said centerline of Dennis Road 1677.05', for corner;

THENCE S89°37'W, 894.45' to the east line of Farmersdell Addition, an addition to the City of Farmers Branch, Texas, for corner;  
THENCE N0°33'W, along said Farmersdell Addition 1681.57' to a point in the centerline of Valley View Lane (same being in the north line of said I.B. Webb Survey), for corner;  
THENCE N89°53'E, 910.72' along said centerline of Valley View Lane and said I.B. Webb Survey northline to the place of beginning and containing 35 acres of land, more or less.

Section 2. That this special permit for shopping center purposes for commercial uses with reference to the hereinabove described property is approved and granted upon the following express conditions, and in accordance with Article XIV of the Zoning Ordinance, to-wit:

OK (1) A site plan showing means of ingress and egress, off street parking, location of proposed building in units so that construction of shopping center will be done by units, shall be submitted to and be approved by the City Planning and Zoning Commission and City Council prior to the time any development is commenced.

Need deed (2) Dedication of a strip of land 40 feet wide along the East property line of the shopping center for the widening of Dennis Road to make a 100-foot right of way.

Need deed (3) Dedication of a strip of land 20 feet in width along Valley View Lane adjacent to the shopping center property for the widening of Valley View Lane.

(4) Developer of shopping center shall, at his own expense, improve that portion of Dennis Road and Valley View Lane adjacent to shopping center in accordance with the requirements of specifications of the City of Farmers Branch.

See plans (5) The architectural plans for all buildings to be constructed in the shopping center shall be of a semicolonial design.

See plans (6) The exterior walls of all buildings shall be of brick or stone.

See plans (7) No overhanging advertisement signs shall be permitted.



Sec <sup>(8)</sup> Shopping center owner shall collect all trash daily and deliver same to service alley collection point for collection by the City Sanitation Department. Shopping center owner shall be responsible for maintenance and daily clean up of shopping center area.

<sup>(9)</sup> Landscaping of shopping center shall be planned and maintained in first class order by a landscape firm, shall be maintained on an annual basis, all subject to the approval of the City.

*See plans* (10) A permanent type screening wall shall be built between the shopping center service alley on the West side of the shopping center and the residences that back up to the shopping center property; such wall shall be a minimum of six feet in height and shall be of a design to be approved by the City Planning and Zoning Commission.

(11) Gasoline service stations or filling stations shall not be located on property adjacent to or facing upon Valley View Lane or Dennis Road.

(12) No drive-in curb service eating place or similar restaurant shall be permitted in the shopping center.

(13) Adequate parking areas for employees' automobiles shall be provided, subject to the approval of the City Planning and Zoning Commission.

(14) Automobile parking spaces shall be provided at a minimum ratio of 3 to 1.

(15) All restrictions provided for herein shall be incorporated in deed restrictions to be filed for record with the County Clerk of Dallas County, Texas.

Section 3. That the site plan, when approved by the City Planning and Zoning Commission and City Council, shall become a part of this ordinance for all purposes. A true copy of the site plan shall be retained in the office of the City Secretary and in the office of the City Manager for observance in connection with

these improvements. That all paved areas, permanent drives, streets and drainage structures, if any, shall be constructed in accordance with standard City of Farmers Branch specifications adopted for such purpose.

Section 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein by the granting of this special permit for a shopping center with commercial uses.

Section 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

Section 7. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

PASSED on the 17 day of March, 1958.

APPROVED:

Lester Lewis  
MAYOR

ATTEST:

Theresa Goodnight  
CITY SECRETARY

APPROVED AS TO FORM: